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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,631	12/21/2001	Joseph Arthur Reed	PU010317	5827

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EXAMINER

MACCHIAROLO, PETER J

ART UNIT PAPER NUMBER

2875

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,631

Applicant(s)

REED ET AL.

Examiner

Peter J Macchiarolo

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 1-9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "32" has been used to designate both apertures in paragraph [0020] and strands in paragraph [0021]. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 1-9 are objected to because of the following informalities: Claims 1-9 are not written in accordance with current U.S. practice, and consequently, the preamble and the different limitations are difficult to distinguish. The Examiner is interpreting the preamble to be as follows:

"A CRT having a tension mask attached to a support frame, comprising:"

Appropriate correction is required.

3. Further, claim 9 is objected to because it includes a reference character (49), which is not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 102

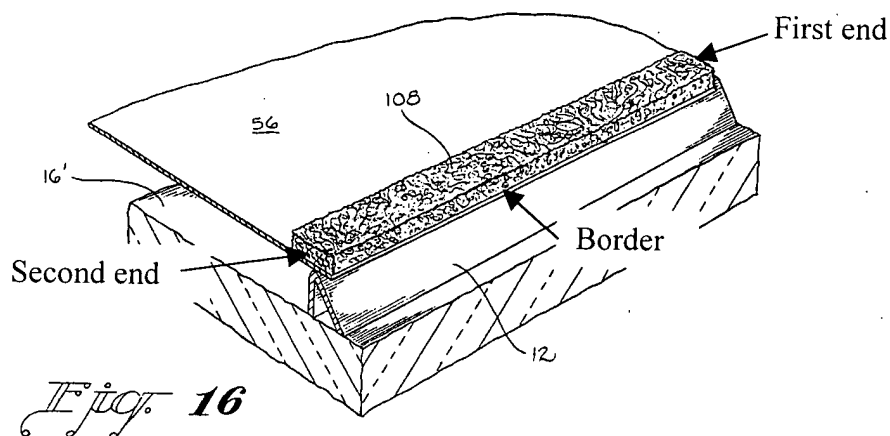
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Adler et al. (USPN 4,827,179; "Adler")

In regards to claims 1, 2, and 10, Adler discloses in figures 2, 3a, and 16, a CRT tension mask (56) attached to a support frame (34) which has long sides parallel to a major axis and short sides parallel to a minor axis. Adler further discloses the tension mask includes a vibration damper (108) comprising an elongated strip member (108) having a first and second end (below). Adler further discloses in column 9 lines 33-37, that the energy absorber can be mounted along a peripheral portion of the tension mask. Further, a major portion of its surface is in frictional contact with the border between the ends to receive vibration from the tension mask, and the border being near the short sides and parallel therewith. Adler further discloses in figure 16, the tension mask including a vibration damper comprises a raised portion (90) disposed between the first and second ends.



Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 3-4, 11-12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (USPN 4,827,179; "Adler").

In regards to claim 3-4 and 11-12, Adler discloses all of the recited limitations of claims 1 and 10 (above). Adler further discloses a respective support blade member (12) of the support frame (34) is near the long side and parallel therewith. Adler further discloses in figures 2, 3a, and 16, and column 2 lines 23-27, that the vibration damper may extend to near the short sides of the tension mask, and this configuration prevents a deterioration of picture quality caused by external vibrations.

Adler is silent to the exact attachment locations for the vibration damper.

However, Adler teaches in column 9 lines 33-37, that the energy absorber is secured along the peripheral portion of the tension mask. Further, it is well known in the art that it is preferable to attach the vibration dampening means near one support blade member and remote from a support blade member, and this configuration allows for proper attachment.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the tension mask vibration damper of Adler, including attachment locations positioned near a respective support blade member and attachment locations positioned remote from at least one respective support blade member, since it is well known in the art that this configuration allows for proper attachment.

7. Claims 5-9, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (USPN 4,827,179; "Adler") in view of Suzuki et al. (USPN 6,469,431; "Suzuki").

In regards to claims 5, 8-9, 13, and 16-17, Adler discloses all of the recited limitations of claims 1 and 10 (above).

Adler is silent to an opening in the border.

However, Suzuki teaches in figure 10b and in column 11 lines 3-10, that a hole (14) may be formed in the border for the vibration attenuator to be inserted through and attached to a support plate (11a). Suzuki further teaches that a bent portion (13) extends through the opening and along an opposite side of the border, and this configuration allows the vibration attenuator to operate properly.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the tension mask vibration damper of Adler, including the

hole configuration of Suzuki, since Suzuki teaches this configuration allows the vibration attenuator to operate properly.

In regards to claims 6-7 and 14-15, Adler and Suzuki teach all of the recited limitations of claims 5 and 13 (above).

Both Adler and Suzuki are silent to an exact attachment method.

However, it is well known in the art that adhesives and pins are two suitable methods for attaching the likes of the vibration damper to the support plate, and this configuration will allow for proper operation.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the vibration mask vibration damper of Adler, including the attachment being an adhesive or a pin, since it is well known in the art that this configuration will allow for proper operation.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim (USPN 6,489,714; 12/03/02), Berton (USPN 6,469,429; 10/22/02) and Tong (USPN 5,451,833; 09/19/95) all disclose a CRT having a tension mask including a vibration damper attached to a support frame which are very similar to Applicant's disclosed vibration damper, however is not relied upon in this Office Action.

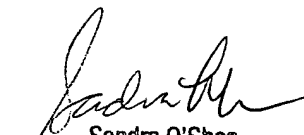
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Macchiarolo whose telephone number is (703) 305-7198.

The examiner can normally be reached on 7.30 - 4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

pjm
February 6, 2003


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800